

September 20, 2005

September Twentieth

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The second regular Meeting of City Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, T. Wayne Oakes, Sherman M. Saunders, and H. Phillip Smith (8). Vice-Mayor R. Wayne Williams, Jr. was absent (1).

Staff members present were City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., Deputy Director of Finance Michael L. Adkins, and City Clerk Annette Y. Crane, CMC.

Other Staff Members present were Transportation Services Director Marc Adelman, Police Chief Philip Broadfoot, Economic Development Director Ron Bunch, Social Services Director Fred Fraley, Community Development Director Jerry Fischer, Deputy Public Works Director/City Engineer Kent Shelton, and Emergency Services Director Doug Young.

Mayor Hamlin presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Phillip Smith offered the invocation. The Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Mayor Hamlin recognized Executive Director of the Danville Area Humane Society Paulette Dean. Ms. Dean appeared to express the Humane Society's opposition to the Urban Archery Season that allows deer hunting using bow and arrow. Ms. Dean said the organization felt bow hunting should not be considered because deer were more often than not only injured and not killed. She recalled that in 1996, Danville Police Officers were allowed to hunt the deer within the City limits and stated the Humane Society preferred that method of controlling deer population.

Mayor Hamlin recalled that at a recent Council Meeting, Chief of Police Philip Broadfoot said Danville had missed the May deadline to apply to the Virginia Department of Game and Inland Fisheries for the permit to have an Urban Archery Season, therefore, that matter is not an issue this season.

Mayor Hamlin thanked Ms. Dean for taking time to present the Society's views on the matter.

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MINUTES

Upon Motion by Council Member Daniels and second by Archie, Minutes of the September 6, 2005 Regular Meeting of City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

PUBLIC HEARING - FY 2005-2006 BUDGET ADOPTIONS

Mayor Hamlin announced the following budget amendments had been previously discussed by City Council and introduced for First Reading and would be further discussed during the Public Hearing. After the Public Hearing is closed, there will be no separate discussion on the items and they would be enacted by one motion. If a Council Member or citizen desires discussion, the item(s) would be removed from the consent process and considered separately.

Mayor Hamlin opened the floor for a Public Hearing to consider amendments to the FY 2005-2006 Budget Appropriation Ordinance. Notice of the Public Hearing had been duly published in the Danville Register and Bee on September 13, 2005. No one present desired to be heard and the Public Hearing was closed.

Upon Motion by Council Member Luther and second by Council Member Daniels, Ordinance No. 2005-09.08 presented by its First Reading on September 6, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance to provide for State and Federal Grant Funds for Land Acquisition Services for the Runway Protection Zone Areas of the Primary Runway at the Danville Regional Airport in the amount of \$46,990 and for the local share in the amount of \$960 for a total appropriation of \$47,950 was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

Upon Motion by Council Member Luther and second by Council Member Daniels, Ordinance No. 2005-09.09 presented by its First Reading on September 6, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance to provide for grants from the Virginia Department of Transportation in the amount of \$831,000 and local share in the amount of \$207,750 to continue Phase III Trail Development Project and to provide funds for the Danville Science Center expansion project for a total appropriation in the amount of \$1,038,750 was adopted by the following vote:

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VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

Upon Motion by Council Member Luther and second by Council Member Daniels, Ordinance No. 2005-09.10 presented by its First Reading on September 6, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance to provide for a grant from the State for a Domestic Violence Victim Program Grant in the amount of \$50,000 and appropriating same was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

Upon Motion by Council Member Luther and second by Council Member Daniels, Ordinance No. 2005-09.11 presented by its First Reading on September 6, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance to provide for a grant from the State for a Victim Witness Program in the amount of \$50,537 and appropriating the same was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

Upon Motion by Council Member Luther and second by Council Member Daniels, Ordinance No. 2005-09.07 presented by its First Reading on September 6, 2005 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance due to anticipating funds from the Virginia Department of Social Services in the amount of \$34,919 for implementing a Child Welfare Program Improvement Plan was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

Mayor Hamlin announced the end of the consent process.

PUBLIC HEARING - GENERAL OBLIGATION BONDS - \$3,800,000

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Mayor Hamlin opened the floor for a Public Hearing to consider authorizing the issuance of General Obligation Bonds in the maximum principal amount of \$3,800,000 for electric system improvements. Notice of the Public Hearing had been duly published in the Danville Register and Bee on September 6 and 13, 2005. No one present desired to be heard and the Public Hearing was closed.

Council Member Archie moved adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.06

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,800,000 FOR ELECTRIC SYSTEM IMPROVEMENTS.

The Motion was seconded by Council Member Castiglione and adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

APPOINT BARBARA DAMERON AS DEPUTY CITY CLERK

Council Member Castiglione moved adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.13

AN ORDINANCE APPOINTING BARBARA A. DAMERON AS DEPUTY CITY CLERK FOR THE CITY OF DANVILLE, VIRGINIA.

The Motion was seconded by Council Member Oakes and adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

BUDGET AMENDMENT - FY 2005-2006-STATE DEPARTMENT OF AVIATION

Upon Motion by Council Member Oakes and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2005-09.14

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR STATE DEPARTMENT OF AVIATION MAINTENANCE GRANT FUNDS FOR MAINTENANCE OF CERTAIN AIRPORT PROPERTIES, MATERIALS AND EQUIPMENT IN THE AMOUNT OF

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\$100,000 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$37,906 FOR A TOTAL APPROPRIATION OF \$137,906 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - FY 2005-2006-CHILD DAY CARE INITIATIVE

Upon Motion by Council Member Castiglione and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2005-09.15

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE BY ANTICIPATING FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES IN THE AMOUNT OF \$9,307 FOR A CHILD DAY CARE QUALITY INITIATIVE PROGRAM

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2005-2006-EDWARD BYRNE MEMORIAL JUSTICE GRANT

Upon Motion by Council Member Archie and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2005-09.16

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE TO ANTICIPATE THE RECEIPT OF FUNDS FROM THE U. S. OFFICE OF JUSTICE PROGRAMS FISCAL YEAR 2005 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR ONE (1) TECHNOLOGY GRANT IN THE AMOUNT OF \$54,051

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - FY 2005-2006-VDEM FUNDS PILOT PROGRAM

Upon Motion by Council Member Smith and second by Council Member Oakes, an Ordinance entitled:

ORDINANCE NO. 2005-09.17

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE TO ANTICIPATE THE RECEIPT OF FUNDS FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT (VDEM) FOR THE DEVELOPMENT OF A PILOT PROGRAM TO IDENTIFY CRITICAL INFRASTRUCTURE IN THE AMOUNT OF \$500,000 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

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AUTHORIZE ACQUISITION OF 0.2 ACRES LAND - TATE STREET

Council Member Luther moved adoption of an Ordinance entitled:

ORDINANCE NO. 2005-09.18

AN ORDINANCE AUTHORIZING ACQUISITION OF 0.2 ACRES OF LAND LOCATED ON TATE STREET FROM CHARLES E. CASE, JR. AND TIMOTHY R. CASE TO CONSTRUCT A TURN AROUND AT THE END OF TATE STREET.

The Motion was seconded by Council Member Archie and adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

INDUSTRIAL SITE REDEVELOPMENT GRANT PROGRAM - KLAFF JUNKYARD

Council Member Smith moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.05

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AN AWARD UNDER THE INDUSTRIAL SITE REDEVELOPMENT GRANT PROGRAM AS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

REIMBURSEMENT CONTRACT - CITY AND THE DANIEL GROUP, INC.

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.06

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF REIMBURSEMENT CONTRACT BETWEEN THE CITY AND THE DANIEL GROUP, INC. FOR A SANITARY SEWER MAIN EXTENSION.

Council Member Luther seconded the Motion.

In response to Council Member Smith, City Engineer Kent Shelton said the Daniel Group would pay for the sewer main extension in

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advance and upon completion, the City would reimburse the company for the cost of construction up to a maximum of \$21,000.

The Resolution was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) - EMERGENCY OPERATIONS

Council Member Smith moved adoption of a Resolution entitled:

RESOLUTION NO. 2005-09.07

A RESOLUTION AFFIRMING THE ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FOR THE CITY OF DANVILLE AS REQUIRED FOR FEDERAL AND STATE FUNDING WHICH IS ESSENTIAL FOR EMERGENCY OPERATIONS DURING AN EMERGENCY OR DISASTER IN THE CITY OF DANVILLE.

Council Member Saunders seconded the Motion.

In response to Council Member Saunders, City Manager Gwaltney said the Resolution reaffirms the adoption of the NIMS for the City of Danville. He said the program was added to the City's Emergency Operation Plan at its last update. The program provides a consistent nationwide approach for Federal, State, and Local governments to work together more effectively and efficiently in the event of domestic incidents, regardless of cause, size, or complexity.

The Resolution was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, and Smith (8).
NAY: None (0).
ABSENT: Williams (1).

COMMUNICATIONS

City Manager Gwaltney called attention to the Financial Report for quarter ending June 30, 2005 that had been placed at the desk of each Council Member.

Mr. Gwaltney announced the northbound lane of King Memorial Bridge would open the latter part of the week. He advised some clean-up work would continue along Craghead Street at the bridge entrance and advised travelers to take an alternate route. Mr. Gwaltney said it is hoped all construction would be completed in time for the holiday season. He called attention to a handout placed at the desk of Council Members, which would assist them in

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answering questions from the general public about the construction.

There were no communications from the Deputy City Manager and City Clerk.

City Attorney Clarke Whitfield wished his mom, Vicky Whitfield, a happy birthday.

ROLL CALL

Council Member Archie reported she attended a banquet recently given by the Regional Alliance for Substance Abuse Prevention (RASAP), which is a program that encourages youth to stay away from drugs. Mrs. Archie encouraged Council Members to attend the next banquet, since the event would be held on an annual basis.

Council Member Castiglione expressed appreciation to Bill Weaver for taking the initiative to solicit assistance for Hurricane Katrina victims. Mr. Weaver had appeared before Council during its last meeting seeking Council's approval for doing such.

Mr. Castiglione advised he recently attended a showing of a documentary at Danville Community College about tobacco heritage in the region. The documentary included State Senator Charles Hawkins, former tobacco auctioneers from the region, members of the Burnette family, Kinney Rorrer and others who related their experiences about growing up in the tobacco belt. Mr. Castiglione said the documentary traced the history of tobacco in the region and documented a work ethic in the area that Mr. Castiglione felt would be ongoing in the new economy. He expressed appreciation to all who contributed to the making of the documentary.

Mr. Castiglione praised the leadership of Parks, Recreation and Tourism Director John Gilstrap, who will retire from the City effective October 1, 2005.

Mayor Hamlin thanked the community for attending the public forums held by Danville Regional Foundation recently.

Council Member Luther reported skateboarders were using the new bicycle lanes on West Main Street for recreation. He advised the users were going in the wrong direction on the lanes, which could be very dangerous. He felt there should be a law to prevent the skateboarders from doing so.

Mr. Luther reported fishermen on the Danville bypass had made paths to the river and were using the medians for parking vehicles while fishing. Mr. Luther felt this was extremely dangerous and something needed to be done to prevent the fishermen from doing so.

Council Member Oakes advised the documentary on Tobacco Heritage was on DVD and is available for sale at a cost of \$29.95. Mr.

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Oakes further advised that anyone wishing to purchase a DVD could contact Kinney Rorrer at Danville Community College.

Mr. Oakes advised there would be a Southside Workshop in December and will be chaired by the presidents of the University of Virginia, Virginia Tech, and Longwood University. He advised the workshop would be held at Berry Hill Plantation and the subject is to be "Charting the Course - The Role of Higher Education and Research in the Economic Revitalization of Rural Virginia." Mr. Oakes advised the workshop would be by invitation only.

Council Member Saunders advised the Danville-Pittsylvania Community Action Agency's Annual Dinner Meeting is set for Friday, September 23, at 6:30 P.M. The event will be held at the Stratford Conference Center. Mr. Saunders encouraged everyone to attend. He reported the Keynote Speaker would be the Commissioner of the State Department of Social Services Anthony Conyers.

Mr. Saunders asked City Manager Gwaltney to provide the paving schedule for the Freeze Road/Swain Acres area. Mr. Saunders reported he had received requests from several citizens for the schedule.

Council Member Smith advised the groundbreaking for EIT, Inc. had occurred recently to bring about the first private company to locate in the Cyber Park that would provide jobs. Mr. Smith felt the event was important and long-time coming. He said although tobacco and textiles had been most important in this area, these industries had passed as economic sustenance for this region. Mr. Smith said the future was in the type of jobs that EIT will be providing. He thanked the visionaries of the community who had worked tirelessly towards investing in infrastructure and economic development efforts that are replacing the former two economic standard bearers.

The Meeting adjourned at 7:48 P.M.

MAYOR

CLERK